

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

STANLEY PACE,

Plaintiff,

v.

CONSTELLATION BRANDS, INC.

And RUFFINO S.R.L.,

Defendants.

CIVIL ACTION NO. 4:17-cv-00518

PROPOSED SCHEDULING ORDER DEADLINES

February 23, 2018	Deadline for motions to transfer
March 30, 2018	Deadline to add parties
April 27, 2018	Plaintiff and Counter Plaintiff's disclosure of expert testimony in support of their causes of action pursuant to Fed. R. Civ. P. 26(a)(2) and Local Rule CV-26(b)
May 11, 2018	Deadline for Plaintiff and Counter Plaintiff to file amended Complaints and Counterclaims (A motion for leave to amend is required.)
May 25, 2018	Defendant and Counter Defendant's disclosure of rebuttal expert testimony pursuant to Fed. R. Civ. P. 26(a)(2) and Local Rule CV-26(b).
May 25, 2018	Deadline for Defendant and Counter Defendant's final amended Answers and Answers to Counterclaims (A motion for leave to amend is required.)

6 weeks after disclosure of an expert's report is made	Deadline to object to any other party's expert witnesses. Objection shall be made as a motion to strike or limit expert testimony and shall be accompanied by a copy of the expert's report in order to provide the court with all the information necessary to make a ruling on any objection.
August 3, 2018	All discovery shall be commenced in time to be completed by this date.
August 17, 2018	Deadline by which the parties shall notify the Court of the name, address, and telephone number of the agreed-upon mediator, or request that the Court select a mediator, if they are unable to agree on one.
August 31, 2018	Deadline for motions to dismiss, motions for summary judgment, or other dispositive motions.
September 28, 2018	Mediation must occur by this date.
December 14, 2018	Counsel and unrepresented parties are each responsible for contacting opposing counsel and unrepresented parties to determine how they will prepare the Joint Final Pretrial Order and Joint Proposed Jury Instructions and Verdict Form (or Proposed Findings of Fact and Conclusions of Law in non-jury cases)
December 21, 2018	Video Deposition Designation due. Each party who proposes to offer a deposition by video shall serve on all other parties a disclosure identifying the line and page numbers to be offered. All other parties will have seven calendar days to serve a response with any objections and requesting cross examination line and page numbers to be included. Counsel must consult on any objections and only those which cannot be resolved shall be presented to the court. The party who filed the initial Video Deposition Designation is responsible for preparation of the final edited video in accordance with all parties' designations and the court's rulings on objections.

January 4, 2019	Motions in limine due. <u>File Joint Pretrial Order</u> (<i>see</i> www.txed.uscourts.gov).
January 18, 2019	Response to motions in limine due. ¹ File objections to witnesses, deposition extracts, and exhibits, listed in pre-trial order. ² (This does not extend deadline to object to expert witnesses.) File Proposed Jury Instructions/Form of Verdict (or Proposed Findings of Fact and Conclusions of law)
Date will be set by Court. Usually within 10 days prior to final pretrial conf.	If numerous objections are filed, the court may set a hearing to consider all pending motions and objections.
February 1, 2019	Final Pretrial Conference at 9:00 a.m. at the Paul Brown United States Courthouse located at 101 East Pecan Street in Sherman, Texas. Date parties should be prepared to try case. All cases on the Court's Final Pretrial Conference docket for this day have been set at 9:00 a.m. However, prior to the Final Pretrial Conference date, the Court will set a specific time between 9:00 a.m. and 4:00 p.m. for each case, depending on which cases remain on the Court's docket.
To be determined	9:30 a.m. bench trial at the Paul Brown United States Courthouse located at 101 East Pecan Street in Sherman, Texas. Cases that remain for trial following the Court's Pretrial docket will be tried between March 4, 2019, and March 29, 2019 . A specific trial date in this time frame will be selected at the Final Pretrial Conference.

¹ This is not an invitation or requirement to file written responses. Most motions *in limine* can be decided without a written response. But, if there is a particularly difficult or novel issue, the Court needs some time to review the matter. To save time and space respond only to items objected to. All others will be considered to be agreed. Opposing counsel **shall confer** in an attempt to resolve any dispute over the motions *in limine* within five calendar days of the filing of any response. The parties shall notify the court of all issues which are resolved.

² Within five calendar days after the filing of any objections, opposing counsel **shall confer** to determine whether objections can be resolved without a court ruling. The parties shall notify the court of all issues which are resolved. The court needs a copy of the exhibit or the pertinent deposition pages to rule on the objection.